

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>IN RE:</b>	:	
<b>DAVID EARL FRENCH</b>	:	<b>CASE NO. 1:22-bk-00849-HWV</b>
<b>aka DAVE E. FRENCH</b>	:	
<b>DONNA MARIE FRENCH</b>	:	
<b>Debtors</b>	:	
	:	<b>CHAPTER 13</b>
<b>SELECT PORTFOLIO SERVICING, INC. AS</b>	:	
<b>SERVICER FOR U.S. BANK NATIONAL</b>	:	
<b>ASSOCIATION, NOT IN ITS INDIVIDUAL</b>	:	
<b>CAPACITY BUT SOLELY AS INDENTURE</b>	:	
<b>TRUSTEE FOR THE HOLDERS OF THE CIM:</b>	:	
<b>TRUST 2021-R1, MORTGAGE-BACKED</b>	:	
<b>NOTES, SERIES 2021-R1</b>	:	
<b>Movant</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>DAVID EARL FRENCH</b>	:	
<b>aka DAVE E. FRENCH</b>	:	
<b>DONNA MARIE FRENCH</b>	:	
<b>Respondents</b>	:	

**DEBTORS' RESPONSE TO MOTION OF SELECT PORTFOLIO SERVICING, INC.  
AS SERVICER FOR U.S. BANK NATIONAL ASSOCIATION, NOT IN ITS  
INDIVIDUAL CAPACITY BUT SOLELY AS INDENTURE TRUSTEE FOR THE  
HOLDERS OF THE CIM TRUST 2021-R1, MORTGAGE-BACKED NOTES, SERIES  
2021-R1 FOR RELIEF FROM THE AUTOMATIC STAY**

AND NOW, come Debtors, David Earl French and Donna Marie French, by and through their attorney, Gary J. Imblum, and respectfully respond as follows:

1. Admitted.
2. Admitted in part and denied in part. The Note speaks for itself. Strict proof is demanded that the Movant is the holder of the Note.
3. Admitted in part and denied in part. The Mortgage speaks for itself. Strict proof is demanded.

4. Admitted in part and denied in part. Strict proof is demanded that Movant is the Assignee of the mortgage.

5. Admitted in part and denied in part. The loan modification speaks for itself. Strict proof is demanded.

6. Admitted. Debtors offer to cure the arrearage through an Amended Plan.

7. Admitted in part and denied in part. The allegations of paragraph 7 are conclusions of law to which no response is required.

8. Admitted in part and denied in part. The allegations of paragraph 8 are conclusions of law to which no response is required.

9. Admitted.

10. Admitted in part and denied in part. Strict proof is demanded as to the amount of the monthly payments.

11. Admitted in part and denied in part. See response to paragraph 6.

12. Denied. The real estate securing the mortgage was worth \$160,000.00 at the time of the filing of the bankruptcy in accordance with the market analysis attached to the bankruptcy schedules. The amount owed to the Movant on the date of the filing of the bankruptcy was \$139,588.68 (see Claim No. 6). Accordingly, there is an equity cushion protecting Movant. Further, Debtors are providing adequate protection through regular monthly payments. To the extent that the monthly payments are in arrears, Debtors will make an offer to cure same in the near future.

[Remainder of page intentionally left blank]

**WHEREFORE,** Debtors respectfully request that this Honorable Court issue an Order denying the Motion for Relief From Stay.

Respectfully submitted,



Gary J. Imblum  
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Attorney for Debtors

DATED: 11-2-22

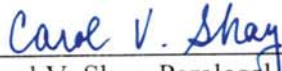
### CERTIFICATION OF SERVICE

I, Carol V. Shay, Paralegal, do hereby certify that I have served a copy of the foregoing DEBTORS' RESPONSE TO MOTION OF SELECT PORTFOLIO SERVICING, INC. AS SERVICER FOR U.S. BANK NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS INDENTURE TRUSTEE FOR THE HOLDERS OF THE CIM TRUST 2021-RI, MORTGAGE-BACKED NOTES, SERIES 2021-R1 FOR RELIEF FROM THE AUTOMATIC STAY upon the following persons by E-Service or by United States Mail, first class, postage prepaid, at Harrisburg, Dauphin County, Pennsylvania, addressed to:

JACK N. ZAHAROPOULOS, ESQUIRE  
CHAPTER 13 TRUSTEE  
VIA E-SERVICE

LAUREN M. MOYER, ESQUIRE  
FRIEDMAN VARTOLO, LLP  
COUNSEL FOR MOVANT  
VIA E-SERVICE

IMBLUM LAW OFFICE, P.C.

  
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For Debtors

DATED: 11/2/2022